

573519



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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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OFFICE ACTION SUMMARY

8/11/1994

STEFANIE KELLER HOFFER AND SCINTO
277 PARK AVENUE
NEW YORK NY 10172

EXAMINER

JANKUELLA

ART UNIT

PAPER NUMBER

2412

10

DATE MAILED:

07/10/97

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

☒ Responsive to communication(s) filed on 4-25-97

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1, 3, 5-35, 112-116 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1, 3, 5-35, 112-116 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of Reference Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 5, 6

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

-- SEE OFFICE ACTION ON THE FOLLOWING PAGES --

SERIAL NUMBER 08/573519

ART UNIT 2412

1. Claims 1, 3, 5-35 and 112-116 are presented for examination.

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The abstract of the disclosure is objected to because it exceeds 25 lines and 250 words; and, the phrase in the first sentence, The present invention provides, can be implied. Correction is required. See MPEP § 608.01(b).

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

6. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Strasnick et al.

Strasnick et al. anticipated the claimed invention by teaching the claimed linked data display method, where the linked data is taught as hierarchical data and directed data; first data and second data being linked in the hierarchy; and, displayed mutually distinguishably by determining sizes thereof according to a distance of a linkage, by using the zoom feature which distinguishes the size between close and distant data, where the distance is associated with the linkage.

The whole patent describes the claimed invention in detail, with the zoom feature being detailed at column 9. Of particular importance is that Strasnick et al. zooms or navigates through an information landscape, i.e., a three-dimensional graphic space which represents any type of hierarchical or related data, which any type of data can mapped to the information landscape.

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103[©] and potential 35 U.S.C. 102(f) or (g) prior art under 35

U.S.C. 103(a).

9. Claims 3, 5-35, and 112-116 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strasnick et al.

Claim 3 depends from claim 1 and further requires time-series data items accumulated time-sequentially and displayed according to temporal distance.

While Strasnick et al. explicitly teaches hierarchical and directed data, as outlined above, it is noted that time-series is not explicitly taught. Official Notice is taken that both the concept and the advantages of providing for displays which include the time-series data items accumulated time-sequentially and displayed according to temporal distance are consistent, or inherent in directed graph data, which is taught by Strasnick et al. at column 22 lines 35-37. It would have been obvious to one of ordinary skill in the art at the time of the instant invention to use time series because directed graph data was commonly used for time scheduling, and time management.

Claim 5 is similar to the combination of claims 1 and 3, and is rejected under a rationale similar to that previously stated for the rejection of claims 1 and 3. Further, Strasnick et al. more directly implies this feature at column 23 with the teaching

of first through fourth quarters, which are a time-series.

Claim 21 is similar to claim 5 but requires correspondence to a schedule table. Strasnick et al. teaches these structures at column 22.

Claim 22 is similar to claim 21 but requires a retrieving means. Strasnick et al. this at columns 2-3.

Claim 35 is similar to claim 21 and is rejected under a similar rationale.

Claims 112 and 115 are similar to claims 22 and 21 respectively, and are rejected under similar rationales.

Claims 6-20, 23-34, 113, 114, and 116 further require features specific to navigating through a three-dimensional graphic space, including changing sizes according to distance, which is taught by Strasnick et al.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almis Jankus whose telephone number is (703) 305-9795. The examiner can normally be reached on Monday thru Friday from 8AM to 5PM.


If attempts to reach the examiner by telephone are

unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 305-9701. The fax phone number for this Group is (703) 305-9724.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

AJ

July 3, 1997


ALMIS R. JANKUS
PRIMARY EXAMINER
GROUP 2400